

App. F. IX-4

Previous References

1930 ..
(Sanyasi)

File No. 78-30

Serial Nos. 1-4,

Later References

General and Revenue Secretariat.

Serial Nos. L,

Part B for March 1931

SUBJECT.

Archakship rights of the Sri Somaswami and Sri Chowdswami
temples at Hijjini Village, Hennigal Taluq

NO 2114 dated

To the Sanyasi Com^{rs}

28.3.31

To allow the respondents to be the Archak of the
Baudshalle temples and to permit the Sanyasi² and to
have the whole of the half share of the Archakship of
the temples at Hijjini would be a fair arrangement

GENERAL AND REVENUE SECRETARIAT.

(Mus.)

NOTES.

File No. 78-30 .

FILE HEADING.

Appeal against the Mus. Comm's order ~~para~~ in regard
to the Archakship of the Sri Someswara and Sri
Chowdeswari Temples at Ujjini Village - Kunisal taluk

FROM

Mr. H. ~~Subbavara~~ ^{Subba} Rao - Advocate
for the appellant Ruma Dikshith.

No.

Dated

12. 8. 30

Received

12. 8. 30.

Diary No. 215

Enclos.

Spare copies

Serial No. 1

BRIEF ABSTRACT OF LETTER.

Appealing against the Mus. Comm's order
in regard to the Archakship of ~~Ujjini Temples~~ of
Sri Someswara and Sri Chowdeswari Temples at Ujjini

NOTES AND ORDERS.

The Mus. Comm's order is dated 12. 5. 30.
and the appeal is presented on 12. 8. 30 and
is just ^{out of} ~~in~~ time. ~~and~~ The appeal petition
is also sufficiently stamped.

May a report with records be called for?

For kind orders

H. Secy)

19. 8. 30

19 days in May

30

31

12

22 days minus

1 day reqd for the
preparation of copy,

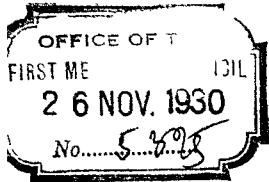
ie 9 days

NOTES—First Sheet.

G.S. MSK
16/8

WD 0168J—GPB—5,000—3-5-29

20/8
19/8



Serial
No.

4. Subd with a draft.

95 mdt
4/9

5. Issue
for

5.9.30

To The Muz. Commr.

No: 468 dated 8.9.30

Forwards petition for a grant

to the Commr. for the

3

doile no 434 of 12. 11. 30 from the
Muzrai Commissioner forwarding records
relating to the Ancestral Sheds of Sri Someswar
and Sri Chondeswar temples at Nigyan
Village. Kunigal Taluk.

to dated for order of the appeal
prepared by Rama with Sri E. Nagesh
present for hearing.

A. C. B.
26/11

1st Member)

25.11.30

7 Yes

CSX
10/12

How Many cases are there
to be heard

Serial
No.

This case was heard on 23rd March 1931.

✓ The Appellant and ^{the} Respondent were present and represented by their Lawyers, the former by Mr. H. Subba Rao and the latter by Mr. D. Shama Rao.

ORDER.

9 According to the arrangements ordered by the Muzrai Commissioner, the Respondent will have the whole of the Archakship Huk of the two temples at Bandihalli and half of his family share of the Archakship Huk of the two temples at Ujjini; while the Appellant will have only the other half share of the Huk of the temples at Ujjini. The Appellant and Respondent are both sons of the previous Hukdar Srikanta Dikshit and this distribution is not fair. To allow the Respondent to be the Archak of the Bandihalli temples and to permit the Appellant to have the whole of the half share of the Archakship Huk of the temples at Ujjini would be a much fairer arrangement. The Appellant and Respondent have agreed to this arrangement and it may be given effect to.

mulo

h
VSld
8.5 m...
25/3
Sph. dnt-5

11 Issue

VS
25.3.31

Serial
No:

4

No 2114 of 28/3/1931 to the Muzrai
Commissioners forwarding copy of the
decision in the case—

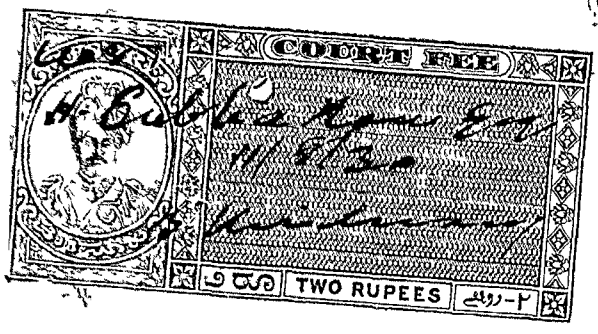
No 2115-16 of 28/3/31 forwarding
copy of order forwarded in the case
to Messrs H. S. S. Rao.

Thanna Rao

adv

Bo
4/6/31 ✓

presented
by the person
12.8.30.



215 -

Muz 78-30-1.

BEFORE THE GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE,
=====

B A N G A L O R E.
=====

Muzrai Appeal No. of 1930 - 1931.

=====

^{1/4}
Rama Dikshit, son of Srikanta Dikshit
residing in Ujjani village, Huliur-
Durga Hobli, Kunigal Taluk.

APPELLANT:-
=====

-:VS:-

Surya Sikshit, son of Srikanta Dikshit
residing in Bandihalli, Huliur Durga
Hobli, Kunigal Taluk.

RESPONDENT:-
=====

UNDER SECTION 38(2) OF THE MYSORE
RELIGIOUS AND CHARITABLE INSTITUTIONS =
REGULATION 1927.

The Appellant abovenamed begs to appeal
from the order passed by the Revenue Commis-
sioner in Muzrai Appeal No. 7 of 1929 - 30
reversing the order passed by the Deputy Com-
missioner, Tumkur District in Muzrai Appeal -

Appeal No. 5 of 1928 - 29 on the following grounds:-

1. That the learned Revenue Commissioner erred in holding that the order passed in 1913 appointing Respondent as barawardar pujari of Prasanna Nanjundeswara and Chendra Mouleswara Temples at Bandihalli was acted upon, in the ^eface of the admission of - Respondent ^pon 10th October 1919 that he is not doing the duties of Archak at Bandihalli.
2. That the learned Revenue Commissioner erred in adjudicating the rights of parties in Bandihalli, when the appeal related to - their rights in Ujjini Temples.
3. That the learned Revenue Commissioner also erred in concluding that the equities were in favour of the Respondent.
4. That the learned Revenue Commissioner has failed to take into consideration, the circumstances when the alleged admission seems to have been made.
5. That the learned Revenue Commissioner has failed to note that the Respondent - could get a share in Ujjini Temples only when he

he gave an equal share to Appellant in Bandihalli Temples.

6. That the learned Revenue Commissioner has failed to correctly appreciate the reasons given by the Deputy Commissioner for his order.

7. That the Lower Court has not given due weight to the order of the Amildar, Kunigal Taluk dated 9th November 1927, ~~and also~~ the Will of the previous Sarawardar and also the petition of the Respondent dated 10th October 1919. Certified copies ^{of these} will be produced on the date of hearing.

8. That the order of the learned Revenue Commissioner is highly inequitable in as much as it gives the whole of Bandihalli and half of Ujjini Temples to Respondent and only half of Ujjini Temples to Appellant.

9. That ^{if} in any view, this Honourable Court were to hold that the Respondent is entitled to a share in Ujjini Temples, the Appellant ^{may} ~~should~~ ^{be given} ~~also get~~ a half share in Bandihalli Temples.

10. That the order of the Revenue Commissioner is otherwise erroneous and unsustainable in law.

The Appellant therefore humbly prays

prays that the order of the Revenue Commissioner be set aside and that of the Deputy Commissioner be confirmed.

1. Subbanna
Adv. for appell.
12830.

B a n g a l o r e,
12th August 1930.

[Handwritten signature]

~~ADVOCATE FOR APPELLANT.~~
=====

In the Court of the Muzrai Commissioner in Mysore

Dated Bangalore 12th May 1930

Muzrai appeal No. 7 of 1929-30.

Appellant: -

Sura Dikshit, Vijini Village,
Kunigal Taluk

Respondent

Rama Dikshit

Subject: -

Archakship of the Sri Someswara
and Sri Chanderwani Temples at
Vijini Village in the Kunigal Taluk.

Facts of the Case

The appellant and the respondent
are step-brothers, the former being the
second wife's son and the latter the
first wife's son ^{the} ~~and the~~ of Sri Ramba
Dikshit, deceased, who was the regis-
tered archak of the Sri Prasanna
Nanjundeswaraswami and Sri
Chendramouleswaraswami Temples
at Bandihalli in the Kunigal Taluk,
and Sri Someswara and Sri Chou-
deswani Temples at Vijini in the
same Taluk. During Sri Ramba-
dikshit's life-time barabard of
the Bandihalli Temples was trans-

Police that himself and his brother have each one fourth share the other half being shared by Hapimathli Dikshit. He has also stated before the Amildar on 1st Dec^r 28 that he gets his turn every fourth year, the period of his office being one year. He makes reference to the family settlement.

Order Appeal No. 7/29-30

Dated 12-5-1930

I do not think it is correct to modify an arrangement that has been in existence since 1913 on consideration of equity after such a long time - Moreover, according to the respondent's own admission his right in the Nijini temples archakship is only one fourth share. It is best to adhere to the arrangement of 1913.

Sd/- P. G. D'Souza.
Muzrai Commissioner
in Mysore

Copy applied for by Rama Dikshit
on 21-5-30

Ready on 22-5-30

Delivered on
Copied by Jayaramappa
Compared by H. Venkataswami

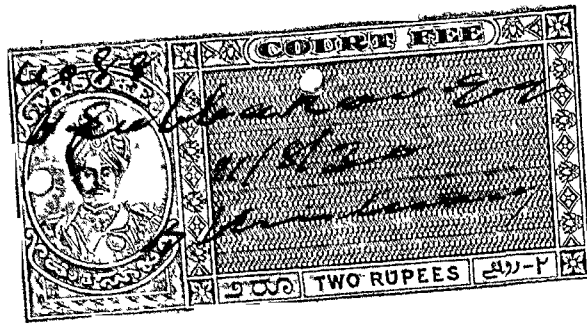
No. of words 435

Copying fees. 0-10-0.

Comparing fees 0-1-8

0-11-8

Copy
R. M. S. Murcom
11.8.30



Before the Government of His Highness
 ಬೆಂದಲೂರು The Maharaja in Mysore
 Bangalore
 1930 - 1931 ನೇ ಇಸವಿ Murasai Appeal ನಂಬರು

೮/ ನಾದಿ ಯಾ-ಅರ್ಜಿದಾರ್

ಆಪ್ರತಿನಾದಿ ಯಾ-ಅಪೋನೇಟ್.

Rama dikshit	Vs.	Sura dikshit

ಮ|| ರಾ|| ಹೆಚ್. ಸುಬ್ಬರಾವ್ ಪಿ.ಎ., ಪಿ.ಎಲ್., ಅಡ್ವೋಕೇಟ್‌ರವರಿಗೆ.

೮/ ವಾದಿ ಸ|| ಬರಸಿಕೊಟ್ಟ ವಕಾಲತ್‌ನಾಮಾ.

ಈ ಮೊಖದ್ದಮೆಯಲ್ಲಿ ತಾವು ನನ್ನ ಪರವಾಗಿ ಆಖ್ಯಾಯಿಕೆಯನ್ನೂ ಕೋರ್ಟಿನಲ್ಲಿ ವಿವಾದ ಜರಗಿಸುವುದಕ್ಕೂ, ನನ ಪರವಾಗಿ ಎಲ್ಲಾ ವಿಧವಾದ ಆರ್ಜಿಗಳನ್ನೂ ಡಿಕ್ರಿಯನ್ನೂ ಜಾರಿಕ್ರಮಪಡಿಸಿ ಹಣ ವಸೂಲುಮಾಡಿಕೊಳ್ಳುವುದಕ್ಕೂ ನನಗೆ ಕೋರ್ಟಿನಿಂದ ಸಲ್ಲಬೇಕಾಗಿರುವ ಡಿಕ್ರಿ ಮೊಬಲಗು, ಶಿಲ್ಕುಮೊಬಲಗು, ಪ್ರೋಸೆಸ್‌ಸ್ವಾಂಪು, ದಾವಾಸ್ವಾಂಪು ಸಹ ಪಡಿಯ ಲಿಕ್ಕೂ, ದಸ್ತಾನವು ವಗೈರೆಗಳನ್ನು ನಾವಸು ಪಡಿಯಲಿಕ್ಕೂ ಸಹ ತಮಗೆ ಈ ಮೂಲಕ ಸಂಪೂರ್ಣ ಅಧಿಕಾರ ಕೊಟ್ಟಿದ್ದೇನೆ, ಅಲ್ಲದೆ ತಾನಾಗಲಿ ಯಾ ತಮಗೋಸ್ಕರ ಮತ್ತಾವ ಲಾಯರಾಗಲಿ ಡಿಟೋ ಮೊಖದ್ದಮೆಯಲ್ಲಿ ನಡೆಸುವ ಎಲ್ಲಾ ಕೆಲಸಗಳನ್ನು ನಾನು ಖುದ್ದು ಇದ್ದು ನಡೆಸಿದಂತೆ ಒಪ್ಪಿಕೊಳ್ಳಲು ಬದ್ಧನಾಗಿ ಇದ್ದೇನೆ.

ತಾರೀಖು	}	ರುಜು	80/10/10/10/10
ಬೆಂಗಳೂರು. 12/8/30			

ಈ ಮೊಖದ್ದಮೆಯನ್ನು ಕೊಟ್ಟವರು ನನಗೆ ಪರಿಚಿತರಾಗಿ ಸಮಕ್ಷಮ ರುಜು ಮಾಡಿರುತ್ತಾರೆ.	ಈ ಮೊಖದ್ದಮೆಯನ್ನು ಅಂಗೀಕರಿಸಿ ಇದ್ದೇನೆ.
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H.S.
 Advocate.

H. S. S. S.
 Advocate for



before the Govt of H. H. the maharaja of ಕೋರ್ಟಿಗೆ.

1930 — 1931 ನೇ ಮ್ಯಾಜಿ ನಂಬರು 4

ವಾದಿ ಯಾ ಅರ್ಜಿದಾರ್.

ಪ್ರತಿವಾದಿ ಯಾ ಅಪೋನೆಂಟ್.

Ramachandrar	V. S.	5-00
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ಮ|| ರಾ|| ಡಿ. ಶಾಮರಾವ್ ಬಿ.ಎ., ಎಲ್.ಎಲ್.ಬಿ., ಅಡ್ವೋಕೇಟ್

C. Krishnamoorthy

9, the Krishna Rao Building ಬರಸಿಕೊಟ್ಟ ವಕಾಲತನಾಮ

ಈ ಮೊಕದ್ದಮೆಯಲ್ಲಿ ತಾವು ನನ್ನ ಪರವಾಗಿ ಆಪ್ತಿಯವರಿಗೂ ಕೋರ್ಟಿನಲ್ಲಿ ವಿವಾದ ಜರುಗಿಸುವುದಕ್ಕೂ ನನ್ನ ಪರ ಆಗುವ ಎಲ್ಲಾ ವಿಧವಾದ ಆರ್ಡರ್‌ನ್ನೂ, ಡಿಕ್ರಿಯನ್ನೂ, ಜಾರಿಕ್ರಮ ನಡೆಸಿ ಹಣವನ್ನೂ ಮಾಡಿ ಕೊಳ್ಳುವುದಕ್ಕೂ, ನನಗೆ ಕೋರ್ಟಿನಿಂದ ಸಲ್ಲಿಬೇಕಾಗಿರುವ ಡಿಕ್ರಿ ಮೊಬಲಗು, ಸಿಲ್ಕು ಮೊಬಲಗು ಸಹ ಪಡೆಯಲಿಕ್ಕೂ, ದಸ್ತಿಯವರು ವ್ಯಕ್ತಿಗಳನ್ನು ವಾಪಸು ಪಡೆಯಲಿಕ್ಕೂ ಸಹ ತಮಗೆ ಈ ಮೂಲಕ ಸಂಪೂರ್ಣ ಅಧಿಕಾರ ಕೊಟ್ಟಿರುವೆ. ಅಲ್ಲದೆ ತಾವಾಗಲಿ ಯಾ ತಮಗೋಸ್ಕರ ಮತ್ತಾವ ಲಾಯರಾಗಲಿ ಡಿಟೋ ಮೊಕದ್ದಮೆಯಲ್ಲಿ ನಡೆಸುವ ಎಲ್ಲಾ ಕೆಲಸಗಳನ್ನು ನಾನು ಖುದ್ದು ಇದ್ದು ನಡೆಸಿದಂತೆ ಒಪ್ಪಿಕೊಳ್ಳಲು ಬದ್ಧನಾಗಿ ಇದ್ದೇನೆ.

ತಾರೀಖು

ರೂಪಾಯಿ ೨೫ ಮೊದಲನೆಯ ೨೦

ಈ ಮೊಖ್ತಾಯಿನಾಮಾ ಕೊಟ್ಟವರು ನನಗೆ ಪರಿಚಯ } ಈ ಮೊಖ್ತಾಯಿನಾಮಾ ಅಂಗೀಕರಿಸಿ ಇದ್ದೇನೆ.

ಗು.

SUBJECT.....

Diary No. of letter replied to.....

General and Revenue Secretariat
 ()
 the 193 .

Date of issue..... 8-9-30.....

Signed by..... Mr. V. S. Sastri.....

List of enclosures.....

Copied by.....

Examined by.....

Section Mus.

File No. 78-30.

Serial No. 2

No. 668¹ Her

To

The Mus. Commr.
 in Mysore

Sir,

I am directed to forward
 herewith for favour of a report
 with records & petition dated 12-8-30
 from Mr. H. Subba Rao. Advocate
 on behalf of the appellants Mr. Rama
 Reddy & Co. appealing against
 the order passed by you in regard
 to the archaism of the Sri
 Someswara and Sri Chowdeswari
 temples at Ujjini village, Tanjore
 Taluk.

Shankar
 35

by
 [over]

OFFICE OF THE MUZRAI COMMISSIONER IN MYSORE,

Bangalore, 9th November 1930.

12

No. 434 - 277 file
30.30



FROM

~~Rajagopalachari~~ S. P. Rajagopalachari, Esq., B.A., B.L.

~~XXXXXXX~~ XXXXXXXXXX XXXXXXXXXX

Muzrai Commissioner in Mysore.

my 78-30-3

To

The Secretary to the Government of His
Highness the Maharaja of Mysore,
Financial Department.

SIR,

(S) With reference to your letter No.468 Muz.78-30-2 dated 8th September 1930 calling for the records connected with the appeal -- petition of Mr. Rama Dikshit re the Archakship of Sree Someswara and Sri Chandeswari temples at Ujjani village, Kunigal Taluk, I have the honor to forward herewith the entire file of records received with Tumkur Deputy Commissioners letter No.M.1002/30 dated 1st November 1930 (copy enclosed) together with this office file Appeal No.7/29-30 dated 12th May 1930 and to state that the facts of the case have been fully setforth in this office file and the Deputy Commissioner's -- office files enclosed in the records.

2. The appeal petition together with its enclosures is herewith returned.

I have the honor to be,

Sir,

Your most obedient servant,

Ra Narasimhaiah
For Muzrai Commissioner,

Absent from Headquarters

178

Letter No.M.1002/30 dated 1st November 1930 from the Deputy
Commissioner, Tumkur District to the Muzrai Commissioner in Mysore.

With reference to your memo No.434/30-31 dated 17-9-30, ---
forwarding a copy of Financial Secretary's letter No.468-Muz.78-30-2
dated 8-9-30 and calling for the submission of the records connected
with the appeal petition of Mr. Rama Dikshit re: the Archakship of
Sri Someswara and Sri Chowdeswari temples at Ujjani village, Kunigal
Taluk, I have the honor to submit herewith the four files of ----
vernacular records ending with the Kunigal Taluk Amildar's report
No.O.C.37/30-31 dated 15-10-30 together with this office files
bearing No.(1) R.Dis.M.1481/29-30 (2) Muzrai Appeal 5/28-29 wherein
the facts of the case have been fully set forth.

2. The appeal petition together with its enclosures received
with your memo under reply, is also herewith returned.

"C o p y"



For Muzrai Commissioner.
K.A.

Muzrai Appeal No. 4 of 1930-31.

Appellant

vs.

Respondent.

Rama Dikshit, son of Srikantha
Dikshit residing at Ujjani
village, Huliurdurga Hobli,
Kunigal Taluk.

Sura Dikshit, son of Srikantha
Dikshit, residing at Bandihalli
Kunigal Taluk.

Subject.

Appeal against the order of the Muzrai Commissioner in Muzrai
Appeal No. 7 of 1929-30 on the file of his court regarding the archakship
rights of the Sri Someswara and Sri Chowderwari temples at Ujjani village
Kunigal Taluk.

This case was heard on 23rd March 1931. The appellant and the res-
pondent were present and were represented by their lawyers, the former
by Mr. H. Subba Rao and the latter by Mr. D. Shama Rao.

O R D E R .

According to the arrangement ordered by the Muzrai Commissioner
the respondent will have the whole of the archakship Huk of the two tem-
ples at Bandihalli and half of his family share of the archakship Huk of
the two temples at Ujjani while the appellant will have only the other
half share of the Huk of the temples at Ujjani. The appellant and the
respondent are both sons of the previous Hukdar Srikantha Dikshit and
this distribution is not fair. To allow the respondent to be the archak
of the Bandihalli temples and to permit the appellant to have the whole
of the half share of the archakship Huk of the temples at Ujjani would
be a much fairer arrangement. The appellant and the respondent have
agreed to this arrangement and it may be given effect to.

Memo No. 2114/2nd file dated, Bangalore, the 27th March 1931.

Copy of the above is forwarded with compliments to the Muzrai Com-
missioner for returning the reasons received with his letter No. 434 of
1930-31 dated 12th November 1930.

By order,
V. Subrahmanya Sastri
Secretary to Government,
Financial Department.

BEFORE THE GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE.

Muzrai Appeal No. 4 of 1930-31.

<u>Appellant</u>	<u>vs.</u>	<u>Respondent.</u>
Rama Dikshit, son of Srikanta Dikshit residing at Ujjani village, Haliyurdurga Hobli, Kunigal Taluk.		Sura Dikshit, son of Srikanta Dikshit, residing at Bandihalli Kunigal Taluk.

Subject.

Appeal against the order of the Muzrai Commissioner in Muzrai Appeal No. 7 of 1929-30 on the file of his court regarding the archakship rights of the Sri Someswara and Sri Chowdeswari temples at Ujjani village Kunigal Taluk.

This case was heard on 23rd March 1931. The appellant and the respondent were present and were represented by their lawyers, the former by Mr. H. Subba Rao and the latter by Mr. D. Shiva Rao.

O R D E R

According to the arrangement ordered by the Muzrai Commissioner the respondent will have the whole of the archakship huk of the two temples at Bandihalli and half of his family share of the archakship huk of the two temples at Ujjani while the appellant will have only the other half share of the huk of the temples at Ujjani. The appellant and the respondent are both sons of the previous holder Srikanta Dikshit and this distribution is not fair. It will be reasonable to be the archa of the Bandihalli temples and to let the appellant to have the whole of the half share of the archakship huk of the temples at Ujjani would be a much fairer arrangement. The appellant and the respondent have agreed to this arrangement and it may be given effect to.

Memo No. 2114/9001/168 dated, signed, and 27th March 1931.
Copy of the above is forwarded with enclosures to the Muzrai Commissioner for returning the records received with his letter No. 434 of 1930-31 dated 12th November 1930.

Suhama Raju
for
to Government,
Muzrai Taluk.

Before the Government of His Highness the
Maharaja of Mysore.

1743 Appeal No. 4 of 1930-31

Appellant.	Vs.	Respondent
Rama Dikshith - Son of Prakanta Dikshith residing at Ujjani Village. Hukerimunda Taluk - Kuniyal Taluk.		Smta Dikshith Son of Prakanta Dikshith - residing at Baidihalli Hukerimunda Taluk.
Subject.		

Appeal against the order of the M.C. in Mys. App
No 4 of 29-30 on the file of this Court regarding
the ancestral rights of the Sri Somaswami
and Sri Chowdewar families at Ujjani Village
Kuniyal Tk.

This Case was heard on 23-3-1931.

The Appellant and the Respondent were
present and were represented by their
lawyers, the former by Mr. H. Subba Rao
and the latter by Mr. D. Shama Rao
According to the ^{Order} an amendment

by the M.C. The respondent will have the whole of the Archakship Huk of the two temples at Bandikalli and half of his family share of the Archakship Huk of the two temples at Aggene while the appellant will have only the other half share of the Huk of the temples at Aggene. The Appellant and the respondent are both sons of the previous Hukodan Archanta Bikkshik and this distribution is not fair - To allow the respondent to be the Archak of the Bandikalli temples and to permit the appellant to have the whole of the half share of the Archakship Huk of the temples at Aggene would be a much fairer arrangement. The Appellant and the respondent have agreed to this arrangement and

It may be given effect to.
 114/9m one file.
 Aug 78-30-41 dt- 28.3.31
 Copy to M.C. returning the records received with letter no. 434/30-31 of 12.11.1930
 do.
 25.3.31
 For Secy to Govt
 Secy to Messrs. St. Andrew Road Joseph
 (1) D. Shama Rao - Advocate
 Bangalore